

SPECIAL MEETING
AGENDA

Wednesday, September 27, 2006 7:15 P.M.
Meeting Room 213
Darien Town Hall, 2 Renshaw Road
Darien, Connecticut

EXECUTIVE SESSION

To discuss pending litigation with Town Attorneys John Louizos, Wayne Fox and/or Planning and Zoning Director Jeremy Ginsberg.

GENERAL MEETING

1. Discussion, deliberation and possible authorization for Town Attorneys John Louizos, Wayne Fox and Planning and Zoning Director Jeremy Ginsberg to settle specific pending litigation.

REGULAR MEETING
AGENDA

Wednesday, September 27, 2006 7:45 P.M.
Public Meeting Room 206
Darien Town Hall, 2 Renshaw Road
Darien, Connecticut

PUBLIC HEARINGS

CALENDAR NO. 69-2006

The application of Jeffrey Scofield filed on August 23, 2006 for an interpretation of Section 385 and variations of Sections 334 and 406 if necessary of the Darien Zoning Regulations to allow the construction of a replacement two and one half story dwelling. Section 385: a determination that the subject lot is a legal nonconforming building lot with 8,878 in lieu of 14,520 square feet minimum required lot size; and Section 334: construction on a building lot with 78.5 in lieu of 80.0 feet minimum required lot width. The property is situated on the east side of Walmsley Road approximately 270 feet south of the intersection of Walmsley Road and Linden Avenue and is shown on Assessor's Map #46 as Lot #89, being 7 Walmsley Road and located in an R-1/3 (residential) Zone.

CALENDAR NO. 70-2006

The application of Marek Kaminski filed on August 23, 2006 for variations of Sections 406 of the Darien Zoning Regulations to allow the conversion of a portion of the existing structure to a garage, to allow the modification of the existing structure roof overhang/soffit, and to allow the construction of a two and one-half story addition; Section 406: 3.7 in lieu of 10.0 feet minimum required side yard setback relative to the north property line, 15.1 in lieu of 21.3 feet minimum required side yard setback relative to the south property line, and 18.8 in lieu of 25.0 feet minimum required total of two side yards setback. The property is situated on the east side of Fairfield Avenue approximately 350 feet north of the intersection of Fairfield Avenue and West Avenue and is shown on Assessor's Map #20 as Lot #130, being 14 Fairfield Avenue and located in an R-1/3 (residential) Zone.

CALENDAR NO. 71-2006

The application of Doug MacMillan on behalf of John & Rosanne Olsen filed on August 23, 2006 for variances of Sections 334 and 406 of the Darien Zoning Regulations, to allow the construction of two story and second story additions; Section 334: construction on a portion of the lot with 73.0 in lieu of 100.0 feet minimum required lot depth; and Section 406: 14.5 in lieu of 40.0 feet minimum required front yard setback and 9.0 in lieu of 25.0 feet minimum required rear yard setback. The property is situated on the northwest side of the Sunset Road cul-de-sac approximately 1900 feet east of the intersection of Sunset Road and Mansfield Avenue and is shown on Assessor's Map #15 as Lot #67, being 50 Sunset Road and located in an R-1/2 (residential) Zone.

CALENDAR NO. 72-2006

The application of Robert F. Maslan, Jr. and Maslan Brown & Assoc. on behalf of Paul Quick & Maureen Quick filed on August 23, 2006 for an interpretation of Section 385 and variations of Sections 334 and 906.3 if necessary of the Darien Zoning Regulations to allow the construction of a replacement two and one half story dwelling with one non conforming parking space. Section 385: a determination that the subject lot is a legal nonconforming building lot with 9,066 in lieu of 14,520 square feet minimum required lot size; Section 334: construction on a building lot with 62.0 in lieu of 80.0 feet minimum required lot width; and Section 906.3: 2.5 in lieu of 5.0 feet minimum required side yard setback for the parking space. The property is situated on the east side of Dickinson Road at the intersection of Clock Avenue and Dickinson Road and is

shown on Assessor's Map #42 as Lot #25, being 22 Dickinson Road and located in an R-1/3 (residential) Zone.

CALENDAR NO. 73-2006

The application of Gleason & Associates LLC on behalf of Jane G. Halliwell Trust and Wilder G. Gleason & Jennifer N. Boyd filed on August 23, 2006 for an interpretation of Section 380 of the Darien Zoning Regulations, to allow the cottage/apartment in the barn/garage use to continue; Section 920: a determination that the cottage in the garage is a legal nonconforming second dwelling unit use of the property. The property is situated on the west side of Rings End Road approximately 650 feet north of the intersection of Rings End Road and Goodwives River Road and is shown on Assessor's Map #51 as Lot #5, being 84 Rings End Road and located in an R-1 (residential) Zone.

CALENDAR NO. 74-2006

The application of Sandra M. Volin on behalf of Estate of Reginald D. Cunningham filed on August 23, 2006 for variances of Section 406 of the Darien Zoning Regulations, to allow the construction of two story and second and attic story additions; Section 406: 8.5 in lieu of 15.9 feet minimum required side yard setback relative to the west property line, 4.1 in lieu of 11.5 feet minimum required side yard setback relative to the east property line, and 12.6 in lieu of 20.0 feet minimum required total of two side yards setback for the new construction. The property is situated on the north side of Wistar Court approximately 150 feet northwest of the intersection of Wistar Court and Hecker Avenue and is shown on Assessor's Map #40 as Lot #45, being 14 Wistar Court and located in an R-1/5 (residential) Zone.

GENERAL MEETING

This portion of the meeting is not a Public Hearing. Applicants and other interested parties are welcome to quietly observe the ZBA and staff fulfilling their legal responsibilities for the overall benefit of the community. Any expression from the audience is inappropriate and constitutes grounds for tabling the matter referred to or denying it without prejudice.

1. Discussion, deliberation and possible decisions for Public Hearing request items listed above.

2. Requested amendment to the approved plans of Calendar No. 46-2006, Russell & Shelly Smith, 12 Chester Road.
3. Requested amendment to the approved plans of Calendar No. 95-2005, Mark & Kendra Beaven, 2 Concord Lane.
4. Requested amendment to the approved plans of Calendar No. 65-2006, Elizabeth Harrington-Howes and Susan H. Hamill, 27 Fairfield Avenue.
5. Requested six month extension to obtain all required permits and begin on-site construction for ZBA Calendar No. 36-2006, Robert Gadsden, 116 Five Mile River Road. The Public Hearing of this matter was April 19, 2006. Initial ZBA approval expires on November 4, 2006.
6. Approval of Minutes of decisions from August 10, 2006 (seated ZBA members for these decisions were Vic Capellupo, Al Tibbetts, Gary Greene, Chuck Deluca, and Jeff Williams).
7. General discussion of Application Materials.
8. Any other business (a 2/3, i.e. 67%, favorable vote of members present and voting is required to add an item to the agenda).